

Abstract and Key words

Master's Thesis: Protection of Cultural Heritage in International Criminal Law

Abstract

The aim of this master's thesis is mostly showing progressive development in understanding of protection of cultural heritage in International Criminal Law. There is special focus on development in recent years which is illustrated by Al Mahdi case- destroying cultural heritage in Timbuktu before International Criminal Court. This thesis is subdivided into three parts.

The first part is of descriptive nature and its goal is definition of basic notions, specification of issue of protection of cultural heritage and its setting in International Law. It also covers role of international agreements and international organizations in this issue. Finally it examines how International Criminal Law deals with protection of cultural heritage as well. There is stress on explanation of progressive development in understanding of protection of cultural heritage and reasons that caused it.

The second part of thesis is mostly focused on Al Mahdi case that was tried before International Criminal Court. First there is brief characteristic of situation in Mali during armed conflict and description of area that was damaged too. Then there is specification of objective elements of crime and description of approach of International Criminal Court. There is special focus on judgment and its justification and speech of prosecutor as well. Speech of prosecutor is crucial for understanding of importance of whole case and approach to protection of cultural heritage in the case. Finally I struggle with several questions that arose from decision in Al Mahdi case and could be problematic in future development.

To finish I examine and sum up the most important changes that appeared in field of protection of cultural heritage in International Criminal Law in connection with Al Mahdi case. The main points are growing importance of the protection and changes in its understanding. I try to show whole issue in wide context and connect it with current events.

Key words

International Criminal Law, Cultural Heritage, Al Mahdi case